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AFTER THE SECOND CHECK HAS BEEN
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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: MPRMS01615

CASE NAME: ESTATE OF KIRK SALISBURY

HEARING:

Petition for TO DETERMINE SUCCESSION TO REAL PROPERTY

COUNSEL:

MARIAH SALISBURY (PET)...DENNIS B. LIPPITT
KIRK SALISBURY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service.
2. Petitioners, Maria Salisbury and Michael Salisbury, each claim an undivided 50% interest in decedent's interest in real property located at 1888 Mountain Shadow Rd., Joshua Tree, CA pursuant to the laws of intestacy. Petitioners allege this is the sole asset of this estate and should the court grant this petition, there will be no need for further administration of the estate. Court may wish to also deem this petition as a Pr.C. §12251 petition.

RECOMMENDATION:

Need notice and then court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600025

CASE NAME: GERALDINE H HOLT

HEARING:
Hearing re Final Discharge

COUNSEL:
JACK D HOLT (PET)...HOLT & ASSOCIATES
GERALDINE H HOLT (DEC)...

GENERAL INFORMATION:
Order for Final Distribution granted on 11/6/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Receipt is filed. Need to submit final discharge declaration/order.

RECOMMENDATION:
Find out status of final discharge declaration/order.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600063

CASE NAME: LAWRENCE DEN OUDEN

HEARING:
Hearing re Final Discharge

COUNSEL:
ARLENE COPELAND (PET)...GUAY P WILSON
LAWRENCE DEN OUDEN (DEC)...

GENERAL INFORMATION:
Order for Final Distribution granted on 11/6/07

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file receipts and submit final discharge

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY
SEE ALSO 5 6

HEARING:

Motion Re: DEEM RESPONDENT MORTGAGE ELECTRONIC REQUEST FOR
ADMISSIONS Filed by Respondent MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS

COUNSEL:

RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...PRO/PER
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
MORTGAGE ELECTRONIC REGISTRATI(FOLEY AND MANSFIELD)...FOLEY
RAYMOND P HORSPOOL AND MARGARE()...

No notes – Judge to decide.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY
SEE ALSO 4 6

HEARING:
Motion Re: MOTION OF RESPONDENT MORTGAGE ELECTRONIC
REGISTRATION
Filed by Respondent MORTGAGE ELECTRONIC REGISTRATION SYSTEMS

COUNSEL:
RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...PRO/PER
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
MORTGAGE ELECTRONIC REGISTRATI(FOLEY AND MANSFIELD)...FOLEY
RAYMOND P HORSPOOL AND MARGARE()...

No notes – Judge to decide

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY
SEE ALSO 4 5

HEARING:

Motion Re: TO COMPEL RESPONDENTS WILLIAM AND KELLY HORSPOOL
Filed by Respondent MORTGAGE ELECTRONIC REGISTRATION SYSTEMS

COUNSEL:

RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...PRO/PER
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
MORTGAGE ELECTRONIC REGISTRATI(FOLEY AND MANSFIELD)...FOLEY
RAYMOND P HORSPOOL AND MARGARE()...
MORTGAGE ELECTRONIC REGISTRATI()...

No notes – Judge to decide

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700293

CASE NAME: MARILYN RUTH ENGSTROM

SEE ALSO 8

HEARING:
Hearing Re: Status

COUNSEL:
ERIC SCHULTZ (PET)...WILLIAM M NASSAR & ASSOCIATES
MARILYN RUTH ENGSTROM (DEC)...
WILLIAM LAWRENCE (PET)...SHEASBY, CHO & MIDDLETON
WILLIAM A LAWRENCE (OBJ)...SHEASBY & MIDDLETON

No notes – status hearing on M.S.C.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700293

CASE NAME: MARILYN RUTH ENGSTROM

SEE ALSO 7

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

ERIC SCHULTZ (PET)...WILLIAM M NASSAR & ASSOCIATES
MARILYN RUTH ENGSTROM (DEC)...
WILLIAM LAWRENCE (PET)...SHEASBY, CHO & MIDDLETON
WILLIAM A LAWRENCE (OBJ)...SHEASBY & MIDDLETON

GENERAL INFORMATION

Letters of Administration C.T.A. issued 5/8/08 (limited authority, no bond)

Continued from 8/27/08 at request of counsel.

THIS CASE SET FOR HEARING ON Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No Inventory and Appraisal filed.

RECOMMENDATION

Find out status.

(cbr/gls)

FUTURE HEARING DATES:

11/13/08 Hearing Re: Status

4/22/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700417

CASE NAME: the Fuerte Family Trust (MASTER FILE)

HEARING:
Hearing Re: Status

COUNSEL:

GUILLERMINA FUERTE	(PET)...	THOMPSON & COLEGATE
ROGELIO M. FUERTE	(PET)...	HARTNELL LISTER & MOORE
SOPHIA GARCIA	(OBJ)...	SABBAH & MACKOUL
GRACIELA FUERTE	(SABBAH & MACKOUL	)...SABBAH &
ELVA RODRIGUEZ	(SABBAH & MACKOUL	)...SABBAH &
GUILLERMINA FUERTE	(THOMPSON & COLEGATE	)...THOMPSON

GENERAL INFORMATION:

On 11/29/07, the court ordered the consolidation of Case No CIVSS700949 and SCVSS141380 with this matter (PROPS0700417) for trial and then set this status hearing **Continued from 2/21/08 and 9/11/08. Court notes that parties are to confer, work towards a resolution. A status report is to be filed prior to next hearing stating the progress that has been made. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Status

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. None

RECOMMENDATION:

Court may wish to inquire status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700435

CASE NAME: RICHARD ANTHONY DOMINGUEZ

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

NOREEN DOMINGUEZ (PET)...FULLERTON LEMANN SCHAEFER & DO
WILFRID C LEMANN (PET)...FULLERTON LEMANN SCHAEFER & DO
RICHARD ANTHONY DOMINGUEZ (DEC)...
SUSAN M DOMINGUEZ (PET)...HARTNELL, LISTER & MOORE
STATE OF CALIFORNIA FRANCHISE (AGN)...
BRYAN C HARTNELL (TP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Special Letters of Administration issued 8/2/07 with order that stock certificate to be deposited with a registered security broker and not sold, hypothecated or encumbered without further order of the court.

Continued from 6/21/07, 8/2/07 and 10/11/07. Attorney Hartnell to file written objections.

Continued from 12-06-07, 2/7/08, 7/17/08 and 9/18/08 at request of counsel. On 2/7/08, counsel states petitioners are deciding if they are to serve as co-administrators. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by surviving spouse and Attorney Lemann

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners allege sole asset of estate is shares of stock with a sizeable value. Petitioner request that in lieu of bond that the original stock certificate be deposited for safekeeping with a registered security dealer or federally insured financial institution subject to release only upon order of the court. Estimated value of estate is \$30m and heirs are petitioner and minor children. Petitioner is

- CA resident. Court may wish to grant only limited authority in light of the fact that a majority of the heirs are minors. **On 8/2/07, the court ordered the shares to be deposited for safekeeping with a registered securities dealer or federally insured financial institution subject to release only upon order of the court.** Court may wish to require receipt from financial institution. JTD
2. Susan Dominguez, mother of Richard, Ryan and Benjamin Dominguez was appointed Guardian ad Litem on 06-28-07.
 3. **Objections filed by Susan Dominguez, Guardian Ad Litem.**

RECOMMENDATIONS:

Court may wish to set contested hearing re appointment of general personal representative.

(vet/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700631

CASE NAME: BONNIE MAE KELLY

HEARING:
Accounting Review

	COUNSEL:
MICHELLE BANKS	(PET)...JOHN F WEBER
BONNIE MAE KELLY	(DEC)...
MARK ALLEN KELLY	(PET)...TERRENCE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review by Mark Kelly

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Mark Kelly, was appointed executor on 9/6/07, however, Letters Testamentary did not issue. Subsequently, Mark Kelly declined to act and the court appointed Michelle Banks as executor. It appears that this accounting review was set when the court appointed Mark Kelly. However, as letters did not issue, this review hearing may be moot. The court may wish to inquire whether Mark Kelly marshaled any assets for which an accounting would be due. JTD

RECOMMENDATION:

Court's discretion. This matter may be moot.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700903

CASE NAME: BASIL IVAN FITZALLAN LORD

HEARING:

Hearing Re: STATUS OF CASE

COUNSEL:

REGINALD O LORD (PET)...THOMAS W DOMINICK
BASIL IVAN FITZALLAN LORD (DEC)...
JOY ANNE ANDERSON (RES)...HARTNELL LISTER & MOORE

No notes – on for Status

Continued from 9/18/08 for ongoing discovery.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800889

CASE NAME: LUCILLE I. BITTER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

RALPH L. BITTER	(PET)...	ANTHONY J MONTISANO
LUCILLE I. BITTER	(DEC)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. However, the petitioner is a non-resident and court has
discretion to require bond per Pr.C. §8571. Estimated value of estate is real
property only of \$150,000. JTD

RECOMMENDATION:

Recommend for approval absent objections and Court's determination re bond. If
approved, set future hearings for filing of Inventory & Appraisal on 06/25/09 and for
Accounting Review on 01/21/10. Any accounting to be filed 30 days in advance. Note
requirements of local rule 20-908.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800891

CASE NAME: MARTIN ANTHONY MATICH

HEARING:
Spousal Property Petition hearing.

COUNSEL:
EVELYN W MATICH (PET)...VARNER & BRANDT, LLP
MARTIN ANTHONY MATICH (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests determination and confirmation of the community property interest pursuant to the terms of the decedent's Will. Decedent's Will gives the residue to petitioner or alternatively to the trustee of decedent's Trust. Question whether any of the assets listed on Attachment 7a were previously funded into the Trust, together with a copy of Schedule "A" of the Trust? **Supp: petitioner indicates the two life insurance policies and investment account were never assets of the trust.**
2. No objections filed at the time of the review of this file.

RECOMMENDATION:

Court's discretion.
(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800903

CASE NAME: FRED PAUL WREDE

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

JESSICA P. TONNESEN (PET)...FULLERTON LEMANN SCHAEFFER & D
FRED PAUL WREDE (DEC)...

GENERAL INFORMATION:

Special Letters of Administration granted on 10/9/08

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Will
Annexed with full authority under IAEA by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual beneficiaries have waived bond. JTD
2. Note: Related matter (page 16) PROPS0800904

RECOMMENDATION:

Recommend for approval absent objections. If approved, set hearing on filing the
inventory and appraisal for 6/25/09. Set hearing on accounting review for 1/21/10.
Accounting to be filed 30 days in advance.

(gl/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800904

CASE NAME: FRED PAUL WREDE TRUST

HEARING:
Petition for APPOINT SUCCESSOR TRUSTEE

COUNSEL:
JESSICA P. TONNESEN (PET)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the daughter and beneficiary of the Declaration of Trust of Fred Paul Wrede established 10/28/92. The Trust purports to nominate Gerda Martha Koch as trustee and Trust Services of America as first successor and Union Bank Personal Trust Dept. as second successor. Trust Services of America is no longer in business. Union Bank has informed petitioner it will decline to serve and a declination will be filed prior to the hearing. The decedent was previously married to Gerda Martha Koch and a Dissolution Judgment was entered on 4/29/94. The other residual beneficiary of the Trust has nominated petitioner to serve as trustee without bond. Therefore, petitioner requests to be appointed successor trustee of the Trust without bond.
2. Need to file written declination from Union Bank Personal Trust Dept.
3. No objections filed at the time of the review of this file.

RECOMMENDATION:

Need to clear note 2 and then court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800909

CASE NAME: DEBRA JEAN MAURIS

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

JOHN MAURIS JR (PET)...DAVID P COLELLA
DEBRA JEAN MAURIS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA filed by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived bond. JTD

RECOMMENDATION:

Recommend for approval absent objections. If approved, set hearing on filing the
inventory and appraisal for 6/25/09. Set hearing on accounting review for 1/21/10.
Accounting to be filed 30 days in advance.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: RPRRS02879

CASE NAME: THE SANCHEZ TRUST

HEARING:
Readiness Calendar

COUNSEL:
MONA LISA BARTOLINI (PET)...LAYNE
MIRIAM AURELIO (PET)...ROBERT J SPITZ

No calendar notes – Readiness Calendar

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS05855

CASE NAME: ESTATE OF LOUISE CAMPBELL

HEARING:

OSC re: FAILURE TO APPEAR/FILE FINAL DISCHARGE/SANCTIONS

COUNSEL:

ORVILLE LEONARD	(PET)...	MICHAEL S. ARNOLD
LOUISE CAMPBELL	(DEC)...	
WARREN NEIDEFFER	(TP)...	LAYNE A BART HOLOMEW

GENERAL INFORMATION:

Order for Final Distribution granted 10/3/06

Continued from 9/6/07. No appearance.

Continued from 10/25/07 and 12/13/07. Counsel states bond has been posted.

Continued from 3/20/08 at request of court. No appearance. Clerk mailed notice to counsel. Nothing new filed.

Last continued from 4/24/08, 6/26/08 and 8/21/08. No appearance on 6/26/08 and court set this OSC. Nothing new filed.

THIS CASE IS SET FOR HEARING ON OSC re failure to appear and/or file receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Receipts are filed. Need to submit final discharge declaration/order.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. Clerk to notice bond company.

(/gls/kra/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06711

CASE NAME: EST OF GUSTAVO H ZALDIVAR

HEARING:

FIRST AD FINAL Account and Report of MARIA ZALDIVAR and Petition
for allowance of fees filed.

COUNSEL:

MARIA ZALDIVAR (PET)...GREGORY A. PAIVA & ASSOCIATES
GUSTAVO H ZALDIVAR (DEC)...
HEIR BUYOUT COMPANY (TP)...

GENERAL INFORMATION:

Continued from 5/24/07, 6/28/07 and 8/23/07 at request of counsel. Nothing new filed.
Continued from 10/4/07 to review supplement filed.

Last continued from 11/29/07, 1/31/08, 3/27/08, 5/29/08, 7/10/08 and 9/18/08. Court approves the Moore/Marsden calculation of \$70,654.80 which is the appropriate credit to the spouse. Court orders a reappraisal to be completed; now filed.

THIS CASE IS SET FOR HEARING ON Petition for final distribution upon waiver of
accounting and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive accounting.
2. Petitioner makes no request for compensation.
3. Attorney requests \$7,060 statutory fee. Petitioner waives fees. Ok.
4. Petitioner requests reimbursement of costs advanced of \$62,459.87. Itemized.
As part of the costs, petitioner paid 40 months of mortgage payments claimed at \$1,177.24. Question if this is half of the mortgage payment? If it is for the full mortgage payment, question authority to claim full amount as petitioner alleges the whole of the estate is the community property of decedent? **Supp: Although title to the real property was held in decedent's name as a married man, petitioner alleges she should not be excluded from the community property interest. Petitioner used her separate property**

income to make mortgage payments, pay taxes, insurance and maintain the property. Petitioner believes she should be reimbursed the full amount of the payments due to the fact that all payments were made with her separate property income. A supplement is filed with a Moore/Marsden calculation of \$70,654.80 (see purple tab). Court previously approved this calculation.

5. It appears petitioner does not intend to distribute the real property (the only estate asset) in kind and instead make cash-equivalent distributions to the children (equal to the two-thirds intestate distribution). The petition does not indicate, but question if petitioner proposes to keep the real estate? (File verified supplement). Thus, buying out the other heirs' interest? If so, need a reappraisal for sale as petitioner is, in effect, purchasing the real property from the other heirs and the appraisal is more than a year from date of death. Alternatively, if heirs agree to distribution buy-out purchase price, need consent to proposed action (and as one of the heirs is a minor consent would need to be signed by a Guardian ad litem). **Supp: Copy of Notice of Proposed Action is filed. Petitioner is the mother of minor beneficiary and believes it is in minor's best interest to retain the house. Upon approval of the accounting the minor's funds will be placed in an interest bearing account where they will remain until minor attains majority. Current appraisal is date of death appraisal, or 4/30/2003.**
6. **reappraisal of real property filed on 10/23/08.**
7. Petitioner requests \$100 reserve for closing expenses. Ok.
8. Petitioner has overpaid filing fees by \$38.50. Court will have to order this amount reimbursed.

RECOMMENDATION

Court's discretion. Estate is owed a refund of filing fees in the amount of \$38.50. If approved, court to set hearing on filing receipts and final discharge for 9/24/09.

(/gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07083

CASE NAME: ESTATE OF MARY T. WHITTAKER

HEARING:
Accounting Review

COUNSEL:
TOM WHITTAKER (PET)...MARTHA JO PATTERSON
MARY T. WHITTAKER (DEC)...

GENERAL INFORMATION:
Letters Testamentary issued 10/24/06 (full authority, \$230,000 bond)
Continued from 11/8/08 – oral status given by counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

Find out status.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07187

CASE NAME: ESTATE OF AUGUSTINE ROBLES SR

HEARING:

FIRST AND FINAL Account and Report of ADMINISTRATOR and Petition for allowance of fees filed.

COUNSEL:

ANGELINA RIOS (PET)...DOROTHY M DIXON
AUGUSTINE ROBLES SR (DEC)...

GENERAL INFORMATION

Continued from 4/5/07 accounting needs to be completed and property needs to be sold.
Continued from 6/7/07 and 7/16/07 at request of counsel. Nothing new filed.

Last continued from 9/17/07, 11/19/07, 1/17/08, 3/20/08, 6/19/08 and 8/28/08 at request of counsel to clear notes. Nothing new filed.

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. No period of report stated. File verified supplement. **Supp: Period of report begins 9/15/06. However, no specific end date is given. Petitioner has decided it would be best for the estate to sell one of the estate's real properties and divide the proceeds of the sale in probate. Petitioner requests an additional 60 days in order to sell one of the real properties of the estate. Question status of sale of real property (i.e., is it listed, etc)? Also question whether an amended final accounting will be filed? File verified supplement.**
2. Notice of proposed action filed listing the real property of the estate. Question if the property sale fell through and thus the property is being distributed in kind. File verified supplement. **Supp: see note 1.**

3. Petitioner requests reimbursement for costs advanced of \$10,858.03. Costs advanced include mortgage and insurance payments on the estate real property and decedent's funeral expenses. JTD
4. Statutory fees and compensation are \$10,950.00. Calculated ok. **If petitioner seeks to sell the real property through probate, it could affect the basis for statutory fees if sold for a gain/loss. Need to determine whether petitioner will continue the estate administration to sell real property. If so, only 50% of the statutory compensation is payable per Pr.C. §11624. JTD**
5. Petitioner request to withhold \$2,000 for closing costs. ok

RECOMMENDATION

Need to clear notes 1 & 2. Need to determine whether the administration will continue the estate administration to sell the real property. If so, court to set next accounting review for 11/19/09. If not and proceeding with final distribution, court to set hearing re filing receipts and final discharge for 11/19/09.

(/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07217

CASE NAME: MTR OF THERERSA V COLDREN

HEARING:

FIRST Account and Report of DAVID L COLDREN and Petition for allowance of fees filed.

COUNSEL:

DAVID L COLDREN (PET)...CARROLL M LAWSON
THERESA B COLDREN (DEC)...
CHRIS A COLDREN (TP)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION: **continued from 5/15/08, 7/17/08 and 9/18/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON First account and Report and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$1,461.57. However, statutory fees are not based on the full \$39,000. Correct statutory fees calculation is \$1,560. Ok.
3. An amended final accounting filed on 10/31/08.
4. There are the following discrepancies in the final report:
 - (a) Petitioner has indicated that distribution of the estate is to be distributed to the Trustee of the Theresa Coldren Trust. Petitioner is also the Trustee of the trust. However, the Assets on hand indicate a \$0 balance and distribution of \$39,000 in Schedule G. Petitioner has taken action without court approval. Petitioner distributed the \$39,000 payment settling the promissory note to the Trustee of the decedent's living trust. Question what authority did petitioner have to distribute without court order? Need to file verified supplement.

- (i) Funds are now in the trust. Question how attorney is to be paid as assets are now in a trust? Need to file verified supplement.
 - (b) Amended accounting does not indicate funds were kept in an interest bearing account. Need to file verified supplement.
 - (c) There is no statement regarding the nature of the property as decedent's sole and separate. Need to file verified supplement.
- 5. Citation served on 8/20/08.
- 6. There is no opposition filed at this time.

RECOMMENDATION:

Need to clear notes.

(/gls/cbr/gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH **CONSERVATORSHIPS**

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700249

CASE NAME: CHARLES E AYDELOTTE
SEE ALSO 25

HEARING:
Petition for FEES FOR ATTORNEY FEES & COSTS & REIMBURSEMENT FOR
CONSERVATOR

COUNSEL:
LINDY D NUNNENKAMP (CPE)...MCCORMICK KIDMAN & BEHRENS
CHARLES E AYDELOTTE (CEP)...MITCHELL I ROTH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees and costs and for
reimbursement for conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests reimbursement for conservator in the amount of \$2,148.75, to be apportioned equally, or \$1,074.38, between this conservatorship and the conservatorship of Reba Aydelotte. Itemized. JTD
2. Attorney Suzanne Tague requests fees of \$13,637.43 to be apportioned equally, or \$6,818.71/72 between this conservatorship and the conservatorship of Reba Aydelotte. Billed at \$250-\$275/hour for attorney time, \$150/hour for law clerk time and \$115/hour. Itemized. JTD

RECOMMENDATION:
Court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700250

CASE NAME: REBA J AYDELOTTE

SEE ALSO 24

HEARING:
Petition for ATTORNEY FEES & COSTS & REIMBURSEMENT OF
CONSERVATOR

COUNSEL:
LINDA NUNNENKAMP (CPE)...MCCORMICK KIDMAN & BEHRENS
REBA J AYDELOTTE (CEP)...MITCHELL I ROTH

See prior notes (matter 24)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800021

CASE NAME: BONNIE LOU SOWERS

HEARING:

Order to Show Cause re: Sanctions- FTA and failure to file an
accounting filed by DAVID INGERSOL.

COUNSEL:

DAVID INGERSOL (CPE)...E. JOAN NELMS
BONNIE LOU SOWERS (CEP)...

GENERAL INFORMATION

Temporary Conservator appointed 1/23/08, \$20,000 bond.

**Continued from 6/2/08, 7/28/08 and 9/11/08. No appearance by petitioner or
accounting filed. Court set this OSC.**

THIS CASE IS SET FOR HEARING ON OSC re sanctions for failure to appear and/or file
an accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Matter set at the time set for hearing re Petition for appointment on 3/3/08.
Counsel informs court that the proposed conservatee has passed away. Court
ordered Temporary conservator to file an accounting.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as
specified in Pr.C. § 2620.2. Clerk to notice bonding company.
(kra/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800207

CASE NAME: JACK H. ANGELBECK

HEARING:

Hearing Re: Accounting on Temporary Conservatorship

COUNSEL:

GRACE D. ANGELBECK (PCR)...JAMES B CHURCH
JACK H. ANGELBECK (PCE)...DONNA STURGILL DIAZ

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting by Temporary Conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed temporary conservator of the person and estate on 8/15/08. At hearing on 9/11/08, the parties believe that the conservatorship is not warranted and court orders petitioner to file an accounting for the temporary conservatorship by 10/1/08. Court notes that Attorney Church will file a petition for dismissal once the accounting has been filed.
2. Need accounting for the period 8/15/08 – current date.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01411

CASE NAME: MATTER OF ALBERT DURAN

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONAL CENTE(PET)...BRUNICK MCELHANEY &
BECKETT
ALBERT DURAN (CTE)...

GENERAL INFORMATION:
Fifth Accounting due for the period 8/1/06 – 7/31/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS01638

CASE NAME: MTR OF RICHARD FENTON

HEARING:

Petition for DISPENSE WITH REQUIREMENT OF CURRENT AND FUTURE
CONSERVATORSHIP OF THE ESTATE ACCOUNTINGS

COUNSEL:

INLAND COUNTIES REGIONAL CENTE(CE)...BRUNICK MCELHANEY & BECKETT
RICHARD FENTON (CTE)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

Report covers period: 6/1/06 – 6/30/08

THIS CASE IS SET FOR HEARING ON Fourth Report Current and Petition to Dispense
with Conservatorship Accounting and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the conservatorship estate qualifies for a waiver of accounting per Pr.C. §2628. However, an accounting is filed as to the special needs trust.
2. Petitioner waives fees as conservator. Instead, petitioner requests approval of payment of trustee's fees already taken by Master Trust of California of \$1,625.00. Billed at \$218.75/quarter. Services are generally itemized. JTD
3. Petitioner requests authority to continue taking quarterly trustee fees of \$218.75. JTD
4. Attorney requests fees of \$975.00. Billed at \$125/hour for attorney time and \$75/hour for paralegal time. Itemized. JTD

RECOMMENDATION:

RFA subject to court's determination of requested fees. If approved, set next accounting review on special needs trust for 11/19/09. Accounting to be filed 30 days in advance.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02084

CASE NAME: MTR OF RONALD MISCOVIC

VACATED

HEARING:
Accounting Review

COUNSEL:
INLAND COUNTIES REGIONALCNTR I(CE)...BRUNICK MCELHANEY & BECKETT
RONALD MISCOVIC (CTE)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02281

CASE NAME: MATTER OF JESSIE VELASQUEZ

HEARING:

THIRD Account and Report of RUTH L HENRICKS and Petition for allowance of fees filed.

COUNSEL:

RUTH L HENRICKS (CPE)...HARTNELL LISTER & MOORE
JESSIE VELASQUEZ (CEP)...C.L. FARRELL
MARY ANN VELASQUEZ (SC)...JOHN M RAGER

GENERAL INFORMATION:

Accounting covers period: 12/2/05 – 12/1/07

Assets on hand: \$107,918.23 (cash of \$30,732.36, real property with a carry value of \$70,000, vehicle with a carry value of \$6,100 and the balance in personal property.

Continued from 9/4/08 at request of counsel to clear probate notes. Attorney Farrell states that conservatee wishes to amend his will. Counsel will be filing a petition. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$4,250.00. Billed at \$125/hour for 34 hours. Itemized. JTD
2. Attorney requests fees of \$7,580.00. Billed at \$250-\$295/hour for attorney time and \$50/hour for paralegal time. Itemized. JTD
3. Petitioner requests bond be increased to \$73,000 (a total increase of \$8,000). Appears adequate. JTD
4. During the period of account, petitioner sold a 1994 Honda Accord for \$3,000 (appraised at \$2,600) to Chris Hardman, an employee of Attorney Hartnell, pursuant to the Court's order dated 9/25/06 (tabbed). This affiliate relationship was disclosed, however, Attorney Hartnell billed 1.3 hours, or

\$383.50, and Attorney Walter Moore billed 4.7 hours, or \$1,292.50. Additionally, petitioner (who is also an employee of Attorney Hartnell) billed 2.0 hours, or \$250.00 in the sale of the vehicle. Therefore, it cost the conservatorship estate \$1,678.00 to sell a vehicle for the purchase price of \$3,000 which was sold to another employee of Attorney Hartnell. Court may wish to reduce fees requested above by \$250 to petitioner and \$1,428.00 to Attorney Hartnell. JTD

5. On disbursements, there are vehicle expenses including payments to the Riverside County Credit Union for the 1994 Honda (the vehicle sold to Attorney Hartnell's employee) of \$242.77/month. The sale of the Honda was made as of 8/18/06, however, payments for the vehicle continued in 9/06, 10/06 and 11/06 totaling \$1,090.52. Question why the payments continued after the sale of the vehicle? Question whether the lien has been satisfied to Riverside County Credit Union? File verified supplement.
6. Conservatee owns a 1998 Astro Van with a current market value of \$3,000 (carry value of \$6,100). Conservator is paying monthly payments of \$346.11 to Wachovia Dealers Services (formerly W.F.S. Financial). From a review of the file, it appears that petitioner was ordered on 9/26/03 to pay off the vehicle liens and sell them (both the Honda and Astro Van –see purple tab in file). Note: The lien balances as of 9/26/03 were \$7,443.74 (Honda) and \$15,356.81 (Van). The payments that continued on the Honda to date of sale totaled \$11,769.28, a difference of \$4,325.54. The payments that continue on the Astro Van to date total \$20,766.60, a difference of \$5,409.79 from the payoff in 2003. Question why the liens have not been satisfied and why both vehicles are not sold? Also question whether petitioner should be personally liable for the interest paid on the liens (both for the Honda and Astro Van) from 9/27/03 to the current date (for Van) and the sale of the Honda (8/18/06)? File verified supplement
7. On disbursements, there are real property taxes paid to the Tax Collector totaling \$1,741.62. Question whether the taxes are one-half of the total obligation or whether the conservatorship is paying the full amount? It would appear that the conservatorship estate would be liable for one-half and that Mary A. Velasquez (the other ½ owner) would be liable for the other half. File verified supplement.
8. Court to review Court Investigator's report filed 7/9/08 (tabbed).
9. Court may wish to take note of letter dated 6/18/08 from "The Velasquez Family" addressing the performance of petitioner as conservator. See left side of file (letter tabbed).
10. C.L. Farrell re-appointed counsel for Conservatee on 08/07/08. Need report.

RECOMMENDATION:

Need to clear notes.

(gls/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02676

CASE NAME: MTR RE MARIAN M CONWAY

HEARING:
Accounting Review

COUNSEL:
JERRY D COLE (CPE)...ROGER VON KAESBORG
MARIAN M CONWAY (CEP)...

GENERAL INFORMATION:
Second Accounting is due for the period: 3/7/06 – 3/6/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:
When an accounting is not filed as required, the court shall take action as specified in
Pr.C. § 2620.2.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02838

CASE NAME: MTTR OF GWENDOLYN L CHRISTENSEN

HEARING:
Accounting Review

COUNSEL:
JOANNE FRENCH (CPE)...ELDER LAW CENTER, P.C.
LAWRENCE DEAN II (CPE)...ELDER LAW CENTER, P.C.
GWENDOLYN L CHRISTENSEN (CEP)...

GENERAL INFORMATION

Continued from 05/08/08 and 7/3/08. No appearance and no accounting has been filed.

**Continued from 08/28/08 at request of counsel; accounting is being prepared.
Nothing new filed.**

THIS CASE SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting has been filed.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bonding company.
(/gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03058

CASE NAME: MTR RE PATTY B HEINEN

HEARING:
Accounting Review

	COUNSEL:
RUTH L HENRICKS	(CPE)...BRYAN C. HARTNELL
PATTY B HEINEN	(CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION:
Second Account due for the period: 4/5/07 – 4/4/08

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bond company.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS8937

CASE NAME: MATTER OF CONSTANCE S HAWKINS

VACATED

HEARING:

Order to Show Cause re: Proof of additional bond filed by MARY
HAWKINS.

COUNSEL:

CONSTANCE SUZANNE HAWKINS (CPE)...DUANE P BOOTH
MARY HAWKINS (CEP)...BRYAN C. HARTNELL
KATHY ANNE IVINS (CPE)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION:

On 9/11/08, the court increased bond by \$178,000 and set this OSC

THIS CASE IS SET FOR HEARING ON OSC re proof of additional bond to be filed

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Additional bond was filed.

RECOMMENDATION:

Take matter off calendar.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 10:30 DEPT: E1

CASE #: SC SS8937

CASE NAME: MATTER OF CONSTANCE S HAWKINS

HEARING:

NINTH/CURRENT Account and Report of KATHY ANNE IVINS and
Petition for allowance of fees filed.

COUNSEL:

CONSTANCE SUZANNE HAWKINS (CPE)...DUANE P BOOTH
MARY HAWKINS (CEP)...BRYAN C. HARTNELL
KATHY ANNE IVINS (CPE)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION:

Accounting covers period: 1/1/06 – 12/31/07

Assets on hand: \$422,587.32 (cash of \$37,607.18 and the balance in securities)

Continued from 9/11/08 for clarification of petitioner's fee request.

THIS CASE IS SET FOR HEARING ON Ninth Account Current of Successor Conservator
and petition for allowance of fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$24,640.00. Billed at \$40/hour for 616 hours. Itemized. Petitioner also requests reimbursement for mileage of \$2,825.98. Mileage is not a reimbursable expense per local rule 20-1406(f). Court's discretion re fee request and hourly rate charged. JTD
2. Attorney requests fees of \$13,040.76. Billed at \$275/hour for attorney time and \$75/hour for paralegal time. Itemized. JTD
3. On 9/11/08, the court increased bond by \$178,000 for a total bond of \$678,000. Additional bond has been filed.

RECOMMENDATION:

Court's discretion re fees. If approved, set next accounting review for 9/16/10.

Accounting to be filed 30 days in advance.

(gls/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

MISC.

DATE: 11/13/08 TIME: 1:30 DEPT: E1

CASE #: RC RS00540

CASE NAME: ANNA H EBARAHIMZADEN

SEE ALSO 38 39

HEARING:

Hearing Re: MSC/TRIAL SETTING

COUNSEL:

MABEL H EBRAHIMZADEN	(PET)...LAYNE
ANNA H EBARHIMZADEN	(PCE)...MITCHELL I ROTH
ANNA H EBRAHIMZADEN	(OBJ)...PRO/PER
WALTER EBRAHIMZADEN	(PRO/PER)...PRO/PER

No calendar notes – M.S.C.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 1:30 DEPT: E1

CASE #: RC RS00544

CASE NAME: ANNA A EBRAHIMZADEN

SEE ALSO 37 39

HEARING:
Hearing Re: MSC/TRIAL SETTING

COUNSEL:

ANNA H EBRAHIMZADEN	(PET)...PRO/PER
WALTER EBRAHIMZAD	(PCR)...
ANNA H EBRAHIMZADEN	(PCE)...
MABEL H. EBRAHIMZADEN	(PET)...NOLAN F KING

No notes – Trial Setting

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/13/08 TIME: 1:30 DEPT: E1

CASE #: RC RS00544

CASE NAME: ANNA A EBRAHIMZADEN

SEE ALSO 37 38

HEARING:

Hearing Re: Petition for Approval of Accounting

COUNSEL:

ANNA H EBRAHIMZADEN (PET)...PRO/PER
WALTER EBRAHIMZAD (PCR)...
ANNA H EBRAHIMZADEN (PCE)...
MABEL H. EBRAHIMZADEN (PET)...NOLAN F KING

On Minute Order of 7/1/08, this matter was continued to 12/4/08 as accounting is contested.

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

PROBATE

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700208
CASE NAME: MTR OF JAMES D MEDLIN

HEARING:

FIRST AND FINAL Account and Report of MARK W MEDLIN and Petition
for allowance of fees filed.

COUNSEL:

MARK W MEDLIN (PET)...ASTOR & PHILLIPS
JAMES D MEDLIN (DEC)...

GENERAL INFORMATION: **continued from 10/2/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON First and Final Report on Waiver of Account and
Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Both residual heirs have waived an accounting.
2. Petitioner requests statutory compensation of \$10,602.56. Ok.
3. Attorney requests statutory fees of \$10,602.56. Ok.
4. Petitioner requests extraordinary fees of \$3,200.00 in connection with the sale of the real property. Billed at \$15-\$25/hour for 210 hours. A majority of the time was spent for labor for clearing and cleaning the residence and maintaining the landscaping. Itemized. **Declaration filed by Mark Medlin in support. However, page 1 indicates 205 hours for \$3,075 and page 2 indicates the aforementioned amount of \$3,200. Court may wish to clarify. JTD**
5. Attorney requests extraordinary fees of \$5,062.00 Billed at a 'blended' rate of \$235.44/hour for a total of 21.5 hours in connection with the sale of the real property. Attorney agrees to a discount of fees for a reasonable compensation of \$4,500. Itemized. JTD
6. Attorney requests reimbursement of costs of \$3,188.67. Itemized.
7. Petitioner requests authority to withhold \$1,000 to cover closing costs and fiduciary income taxes.
7. Petitioner initially paid a filing fee of \$485.00 which included a \$165.00 graduated fee. Petitioner is entitled to reimbursement of \$165.00 per Burkey v. State of California (2008) 161 Cal. App. 4th 465.

RECOMMENDATION:

RFA subject to court's confirmation of fees and costs. Petitioner is entitled to a reimbursement of the graduated filing fee of \$165.00. If approved, court to set hearing on filing receipts and final discharge for 11/19/09

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700426

CASE NAME: JUNE BANCROFT

HEARING:
Accounting Review

COUNSEL:
GARY D BANCROFT (PET)...FELIX M MARTIN
JUNE BANCROFT (DEC)...
TIMOTHY BANCROFT (RES)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting Review and/or status report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary issued on 09/07/07, full authority.
2. This matter is set for Accounting Review. No accounting and/or status report has been filed.

RECOMMENDATION

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. There is no bond company to notice.

(cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700460

CASE NAME: MARGARET PATRICIA GOENS

HEARING:

Waiver of Account and Report of SUSAN P FLORES and Petition for allowance of fees filed.

COUNSEL:

SUSAN P FLORES (PET)...JANET LUND
MARGARET PATRICIA GOENS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Report on Waiver of Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual beneficiaries have waived an accounting by petitioner.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory fees of \$8,600.00. Ok.
5. Petitioner paid an initial filing fee of \$385.00, which included a graduated filing fee of \$65.00. Petitioner is entitled to a refund of the graduated filing fee of \$65.00 per Burkey v. State of California (2008) 161 Cal. App. 4th 465.

RECOMMENDATION:

Court's discretion. The estate is entitled to a refund of \$65.00. If approved, court to set hearing on filing receipts and final discharge for 11/19/09.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700670

CASE NAME: MTR OF CONSTUBLE FAMILY TRUST

HEARING:

Hearing Re: STATUS CONFERENCE/ACCOUNTING REVIEW

COUNSEL:

KIMBERLY JORDAN (PET)...BRADLEY R. KIRK & ASSOCIATES,
MATTHEW J CONSTUBLE (OBJ)...PRO/PER

GENERAL INFORMATION:

On 8/23/07, the court ordered Kimberly Jordan and Matthew Constuble to file accountings. To date, no accounting is filed.

Continued from 6/26/08 and 9/25/08 for Matthew Constuble to serve a copy of the report on Attorney Kempe-Olinger.

THIS CASE IS SET FOR HEARING ON Accounting Review by former trustee(s) Kimberly Jordan and Matthew Constuble.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matthew Constuble filed "(Objection)" objecting to the removal of himself as trustee. Mr. Constuble also alleges that he never had any accounting information for the trust but that Kimberly Jordon was the acting trustee of the trust for the period 9/15/03-11/15/06 and has failed to file an accounting. No accounting is filed.
2. On 1/17/08, the court appointed Linda Maxwell as successor trustee.
3. Need report from Matthew Constuble.

RECOMMENDATION:

Find out status of accounting.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701050

CASE NAME: DOROTHY CAROL GREEN

HEARING:

Order to Show Cause re: FAILURE TO APPEAR/FILE INVENTORY &
APPRAISAL filed by KAREN ELAINE SORDIFF.

COUNSEL:

KAREN ELAINE SORDIFF (PET)...PRO/PER
DOROTHY CAROL GREEN (DEC)...

GENERAL INFORMATION

Continued from 10/2/08. Court directs petitioner to seek legal advice and contact probate referee. Nothing new filed.

THIS CASE SET FOR HEARING ON OSC: re Failure to appear/File Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set on 08/28/08 as Karen Elaine Sordiff did not appear or file an Inventory and Appraisal. Ms. Sordiff's counsel has been relieved and she is now self-represented. Court ordered matter set and ordered Ms. Sordiff to appear and show cause why sanctions should not be imposed for failure to appear and or failure to file required documents.

RECOMMENDATION

Court's discretion
(cbr/gls)

Future hearing dates: 04/23/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701198

CASE NAME: ROGER DE GRASSE

HEARING:

Order to Show Cause re: FAILURE TO APPEAR AND FILE INVENTORY &
APPRAISAL filed by MICHAEL DE GRASSE.

COUNSEL:

MICHAEL DE GRASSE (PET)...THOMAS J O'KEEFE INC
ROGER DE GRASSE (DEC)...

GENERAL INFORMATION:

Letters Testamentary issued 4/2/08 (full authority, no bond)

Continued from 10/9/08. No appearance and court sets this OSC.

THIS CASE IS SET FOR HEARING ON OSC re failure to appear and/or file an Inventory
and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No inventory is filed (overdue by 3 months)

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord
with Pr.C. § 2614.5 and/or 8505.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800108

CASE NAME: MTR OF BERNARDO DELOS SANTOS CALMA

HEARING:

FIRST AND FINAL Account and Report of JANET MAGBUAL and Petition
for allowance of fees filed.

COUNSEL:

JANET MAGBUAL (PET)...THOMAS W DOMINICK
BERNARDO DELOS SANTOS CALMA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report and Petition
for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives statutory compensation.
2. Attorney requests statutory fees of \$8,200.00. Ok.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing receipts and final discharge for 11/19/09.
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800542

CASE NAME: THE HOWARD D FERRELL TRUST

SEE ALSO 9

HEARING:

Petition for FOR ORDER DETERMINING PROPERTY TO BE TITLED IN NAME
OF TRUST

COUNSEL:

DAN H FERRELL	(PET)...	JAMES B CHURCH
DAN H FERRELL	(PET)...	H FORD SHERIDAN
HOWARD D FERRELL	(DEC)...	

GENERAL INFORMATION:

Ex parte relief denied 6/16/08, set for noticed motion.

Continued from 8-6-08 and 9/10/08 at request of counsel. Amended petition filed.

THIS CASE IS SET FOR HEARING ON

Application for order determining property to be trust property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that trustor decedent executed a trust and pour-over will two weeks prior to death but did have time to transfer the assets into the trust. Petitioner attaches the Schedule A to the trust (tabbed in file) which lists those two properties and a wide range of personal property. Petitioner requests that the subject properties be considered Trust property pursuant to the authority of Estate of Heggstad (1993) 16 Cal App 4th 943.
2. Petitioner sets forth that the principal administration of the trust is located at 454 Cajon Street, Redlands, CA. Question if court wishes petitioner to also file a certificate of assignment? JTD.
3. Notice has been given and no objections are filed at the time of the review of this file.

RECOMMENDATION

Court's discretion.

ABS/NMT/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800542

CASE NAME: THE HOWARD D FERRELL TRUST
SEE ALSO 8

HEARING:
Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:
DAN H FERRELL (PET)...JAMES B CHURCH
DAN H FERRELL (PET)...H FORD SHERIDAN
HOWARD D FERRELL (DEC)...

GENERAL INFORMATION **Continued from 8-6-08 and 9/10/08 at request of counsel.**

THIS CASE IS SET FOR HEARING ON
Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. However, petitioner is a Utah resident. This court typically requires bond of nonresident representative even upon bond waiver. Does court wish to require minimum bond (\$20,000) or full bond (\$348,000)? Note also that it is unclear to what extent the prior petition to determine assets are trust assets would remove assets from this total. JTD.
2. The will has only one signature (a notary). Will must be witnessed by two persons and one notary does not meet that requirement. Need verified supplement and/or P&As establishing validity of will.
3. Petitioner offers both decedent's will and trust as the documents to be probated. However, the will does not incorporate the terms of the trust (the will merely names the trust as the sole beneficiary) and therefore the trust is not part of the will and should not be probated.
4. Need certificate of assignment.

RECOMMENDATION

Suggest court deny petition absent P&As establishing ability to probate the will.
If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 6/25/09. Set hearing for filing of accounting and/or status report for 1/21/10.
Any accounting to be filed 30 days in advance.

Abs/cbr/NMT/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800774

CASE NAME: FRANKIE L. THOMAS

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

ERIC COLLINS	(PET)...PRO/PER
FRANKIE L THOMAS	(DEC)...

GENERAL INFORMATION

Continued from 10/2/08 for proof of publication

THIS CASE IS SET FOR HEARING ON Petition to administer, with full Independent Administration of Estates Act authority and no bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File proof of publication.
2. All heirs waive bond.

RECOMMENDATION:

Need to correct note 1. If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 6/25/09. Set hearing for filing of accounting and/or status report for 1/21/10. Any accounting to be filed 30 days in advance.

NMT/cbr/gls

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800796

CASE NAME: RITA CECILE ABBOTT

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

JAMES J SIMPSON	(PET)...PRO/PER
RITA CECILE ABBOTT	(DEC)...
CORINNA ABBOTT	(OBJ)...HANNA & SCOTT

GENERAL INFORMATION:

Continued from 10/9/08.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, a creditor of the decedent, seeks to appoint the Public
Administrator as administrator of the estate. Do not see a consent filed by
the Public Administrator to serve. Does court wish to require a consent?
JTD
2. No bond is required of the Public Administrator.
3. **Objections filed by Corinna Abbott (daughter of decedent). Objector
alleges that the decedent had a Trust and the petition for probate is
unnecessary. Furthermore, objector alleges petitioner is trying to
collect attorney's fees and costs as a result of a civil action
(SCVSS131046) but no money was ever collected from the Judgment.**

RECOMMENDATION:

Set for contested hearing.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800798

CASE NAME: MTR OF MARJORY SAMPSON

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

ERICA LEE (PET)...PRO/PER
MARJORY SAMPSON (DEC)...

GENERAL INFORMATION:

Continued from 10/9/08 at request of petitioner. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for Probate of Will and for Letters
Testamentary with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

RFA subject to notes 2 & 3. If approved, set future hearings for filing of Inventory &
Appraisal on 6/25/09 and for Accounting Review on 1/21/10. Any accounting to be filed 30
days in advance.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800848

CASE NAME: MTR OF KATHLEEN L CURRENCE

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

REVECKA DURAN (PET)...COPENBARGER & COPENBARGER
KATHLEEN L CURRENCE (DEC)...

GENERAL INFORMATION:

**Continued from 10/30/08 for filing of bond waivers by beneficiaries. Nothing new
filed.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests bond be fixed at \$500,000 upon the sale of the real
property, the sole asset of the estate. Court may wish to grant limited
authority. JTD

RECOMMENDATION:

Recommend for approval absent objections and court's discretion re bond. If approved,
set hearing on the filing of the inventory and appraisal for 6/25/09. Set hearing on
accounting review for 1/21/10. Accounting to be filed 30 days in advance.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800894

CASE NAME: FRANK KYLE SPAIN

HEARING:
Petition to determine succession to Real Property

COUNSEL:
JANE SPAIN (PET)...HERB CHAVERS
FRANK KYLE SPAIN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, as successor trustee of the Frank K. Spain Living Trust dated 5/16/00, claims a 100% ownership interest in unimproved real property pursuant to the terms of decedent's Will.
2. No objections filed at the time of the review of this file.

RECOMMENDATION:

RFA absent objections. If approved, no need to set future dates.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800900

CASE NAME: MARTHA JAYNE ANTILL

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority
under IAEA

COUNSEL:

DAVID JAMES BROWN (PET)...ORREN & ORREN
MARTHA JAYNE ANTILL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with limited
authority under IAEA, filed by brother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All residual heirs have waived bond.

RECOMMENDATION:

Recommend for approval absent objections. If approved, set future hearings for filing of
Inventory & Appraisal on 6/25/09 and for Accounting Review on 1/21/10. Any accounting
to be filed 30 days in advance.
(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS02296

CASE NAME: ALEXANDER P GRABOWSKI

HEARING:
Probate status report filed.

COUNSEL:
PATRICK F GRABOWSKI (PET)...RODIGER LAW OFFICE
ALEXANDER P GRABOWSKI (DEC)...
LAURENCE L GRABOWSKI (OBJ)...CONKLE & OLE STEN

GENERAL INFORMATION:
Continued from 10/9/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Probate Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice of hearing filed and proof of service filed, but does not comply with the requirements of Pr.C. § 12201(b). The requirements of that code § are mandatory and must contain the wording in Pr. C. § 12201(b). Notice is also not timely per Pr. C. § 8110. Please proper notice and proof of on mandatory Judicial Council Form.
2. Petitioner alleges the estate is not in a position to close due to pending litigation with the homeowner's insurance. Petitioner requests an additional six months to conclude the estate administration.

RECOMMENDATION:
Need proper notice and then court's discretion. If approved, set next accounting review for 5/14/09. Accounting to be filed 30 days in advance.
(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS01206

***VACATED*—INVENTORY FILED 10/10/08**

CASE NAME: IN THE ESTATE OF HAROLD WILLIS HUMAN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

HAROLD W HUMAN SR. (DEC)...

MARTHA M. HUMAN (PET)...ROGER VON KAESBORG

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS01206

CASE NAME: IN THE ESTATE OF HAROLD WILLIS HUMAN

VACATED

HEARING:
Accounting Review

COUNSEL:
HAROLD W HUMAN SR. (DEC)...
MARTHA M. HUMAN (PET)...ROGER VON KAESBORG

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS01206

CASE NAME: IN THE ESTATE OF HAROLD WILLIS HUMAN

HEARING:
Probate status report filed.

COUNSEL:
HAROLD W HUMAN SR. (DEC)...
MARTHA M. HUMAN (PET)...ROGER VON KAESBORG

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service per Pr.C. §12201.
2. Counsel alleges that the asset in this estate is an after-discovered asset (a class action settlement check in the amount of \$108,372.08). The order for final discharge was originally entered 10/31/95. Counsel further alleges that petitioner is the only beneficiary of this estate and all the other heirs assigned their interests to petitioner. Counsel states that on or about 3/5/08, the settlement check was deposited into a bank account and subsequently distributed to petitioner and her children in proportions unknown to counsel. Furthermore, counsel is informed that the settlement agreement of the class action suit provides that 5% of the settlement is being withheld until all costs of closing the class action are identified and paid. Counsel requests an additional six months to conclude this estate administration.

RECOMMENDATION:

Need notice and then court's discretion. If approved, set next accounting review for 6/25/08.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06434

CASE NAME: MTR RE VELMA TEVIS

SEE ALSO 19A 19B 19C

HEARING:

Petition for REMOVAL OF ADMINISTRATOR

COUNSEL:

TRACIE CORNETT	(PET)...	EMMA HILARIO
VELMA TEVIS	(DEC)...	
PERCY CORNETT	(PET)...	RAVEN C VILTZ
VENUS TEVIS	(TP)...	PRO/PER
ADVANCE INHERITANCE C/O CONTIN	(JAMES L LEESTMA	)...JAMES L L
WELLS FARGO CARD SERVICES	(PRO/PER	)...PRO/PER
PERCY CORNETT	(RAVEN C VILTZ	)...RAVEN C V
BOND SERVICES OF CALIF/JEFF AA	(PRO/PER	)...PRO/PER

GENERAL INFORMATION:

On 7/31/08, the court suspended the powers of Tracie Cornett. On 10/2/08, Percy Cornett was appointed as special administrator.

THIS CASE IS SET FOR HEARING ON Petition for Removal of Administrator filed by Percy Cornett

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that Tracie Cornett is unable or unwilling to perform her duties as personal representative. Furthermore, petitioner alleges that Tracie Cornett has breached her fiduciary duty and has wasted, embezzled and mismanaged the property of the estate. Petitioner requests that Tracie Cornett be removed and that petitioner be appointed as successor administrator.
2. Need to file notice of hearing and proof of service.

RECOMMENDATION:

Need notice and then court's discretion.

(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06434

CASE NAME: MTR RE VELMA TEVIS

SEE ALSO 19 19B

HEARING:

AMENDED FIRST AND FINAL Account and Report of TRACIE CORNETT and
Petition for allowance of fees filed.

COUNSEL:

TRACIE CORNETT (PET)...EMMA HILARIO
VELMA TEVIS (DEC)...
VENUS TEVIS (TP)...PRO/PER
ADVANCE INHERITANCE C/O CONTIN(JAMES L LEESTMA)...JAMES L L
WELLS FARGO CARD SERVICES (PRO/PER)...PRO/PER
PERCY CORNETT (RAVEN C VILTZ)...RAVEN C V
BOND SERVICES OF CALIF/JEFF AA(PRO/PER)...PRO/PER

GENERAL INFORMATION:

Continued from 09/04/08. Court noted that the probate notes are still not cleared and are the same notes as before amendment filed. Court noted that Tracie Cornett's powers have already been suspended. Public Administrator notified to review case for possible appointment. Percy Cornett appointed Special Administrator with \$20,000 bond required. Court authorized \$17,000 released from the blocked account to pay past mortgages for real property. Receipts for payments and verification from attorney in Arkansas to be filed.

Last continued from 10/16/08. Court finds that Venus Tevis acknowledges receipt of \$25,000 preliminary distribution and Percy Cornett received the vehicle. Tracie Cornett has made an assignment to Advanced Inheritance. Court authorizes further preliminary distribution of \$20,000 to each of the four heirs. Tracie's distribution is offset by the amount paid to Advanced Inheritance.

THIS CASE IS SET FOR HEARING ON Amended First and Final Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Statutory compensation is calculated \$12,023.00. However, included in the statutory base calculation is real property in Arkansas with a value of \$189,250 (appraised by petitioner). In addition, the 1994 Infinity car and

furniture were appraised by petitioner in the total amount of \$65,000. The vehicle and furniture are to be appraised by the probate referee (Pr.C. §8901/8902). Thus, the statutory basis cannot be determined. Need to file a corrected Supplemental Inventory.

2. Attorney requests extraordinary fees of \$13,875.00. However, need itemization of services performed, the length of such service on each item and the hourly rate. File verified supplement.
3. Advance distributions were made by Venus Tevis of \$25,000 and to Percy Cornett of the vehicle value at \$15,000 without court authority. Need receipts for such distributions. **Supp: copy of check and copy of signed pink slip and release of liability to Percy Cornett.**
4. Petitioner requests reimbursement of costs of \$23,252.53. Itemized.
5. Petitioner requests authority to withhold \$10,000 to pay for 2005 and 2006 taxes and closing costs. Ok.
6. Petitioner requests to charge Venus Tevis for rent living in estate real property from 10/10/04 – 7/10/06 in the amount of \$42,000 (\$2,000/month for 21 months). As Venus Tevis is a residual one-fourth heir of the estate, question the following:
 - (a) Was there a rental agreement between the estate and Venus Tevis? Did Venus Tevis agree to pay rent of \$2,000/month? Did petitioner do a judgment against Venus Tevis re rental value of residence? Question authority to charge rent?
 - (b) Is \$2,000/month a fair market rental value? If so, why doesn't the value get credited by 1/4 so that Venus Tevis' share of the rent would be \$31,500 if there was authority to charge rent?
 - (c) File verified supplement.
7. The share of petitioner should be offset by the assignments to Advanced Inheritance, LLC. File modified distribution schedule. Distribution schedule should also include current addresses of residual heirs.
8. There are outstanding creditor's claims which petitioner alleges are allowed but have not been paid. Petitioner proposes to pay such claims upon approval of the final petition.
9. Petitioner alleges on the summary of account there was "interest earned" in the amount of \$28,156.19. Need specific itemization of how this interest was earned (i.e., monthly/quarterly deposits, etc.). File verified supplement.
10. Need copies of bank statements to support balance of cash on hand per local rule 20-908.
11. Petitioner filed by Percy Cornett to be heard on 11/13/08.
12. **Notice of non-payment of bond premium filed as to Tracie Cornett. However, at this time, Percy Cornett is special administrator. Tracie Cornett's powers currently suspended.**
13. **Objections filed by Percy Cornett; matter is contested.**

RECOMMENDATION:

Need to clear notes, court may wish to set for contested hearing.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06434

CASE NAME: MTR RE VELMA TEVIS

SEE ALSO 19 19A

HEARING: OSC RE: PROOF OF BLOCKED ACCOUNTS FILED BY ADVANCE
FILED BY ADVANCED INHERITANCE C/O CONTINENTAL BUSSN

COUNSEL:

TRACIE CORNETT (PET)...EMMA HILARIO
VELMA TEVIS (DEC)...
VENUS TEVIS (TP)...PRO/PER
ADVANCE INHERITANCE C/O CONTIN(JAMES L LEESTMA)...JAMES L L
WELLS FARGO CARD SERVICES (PRO/PER)...PRO/PER
PERCY CORNETT (RAVEN C VILTZ)...RAVEN C V
BOND SERVICES OF CALIF/JEFF AA(PRO/PER)...PRO/PER

GENERAL INFORMATION

Continued from 10/16/08. Nothing new filed.

THIS CASE SET FOR HEARING ON OSC re: Proof of blocked account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 09/30/08. Special Administrator authorized to establish separate blocked accounts at different institutions to assure FDIC protection. Proof to be filed on or before 10/16/08.
2. No proof of blocked account filed.

RECOMMENDATION

Need proof of blocked account. When the petitioner does not file documents as ordered by the court, the court may take action as specified in Pr.C. § 800 and C.C.P. § 128.

(cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06434

CASE NAME: MTR RE VELMA TEVIS

SEE ALSO 19 19A 19B

HEARING: Petition for Letters of Administration with limited authority under IAEA.

COUNSEL:

TRACIE CORNETT	(PET)...	EMMA HILARIO
VELMA TEVIS	(DEC)...	
VENUS TEVIS	(TP)...	PRO/PER
ADVANCE INHERITANCE C/O CONTIN	(JAMES L LEESTMA	)...JAMES L L
WELLS FARGO CARD SERVICES	(PRO/PER	)...PRO/PER
PERCY CORNETT	(PET) (RAVEN C VILTZ	)...RAVEN C V
BOND SERVICES OF CALIF/JEFF AA	(PRO/PER	)...PRO/PER

GENERAL INFORMATION

Letters Special Administration, \$20,000 bond. Court authorized \$17,000 to be released from the blocked account to pay past mortgages for real property. Receipts for payments and verification from attorney in Arkansas to be filed. Special Administrator authorized to establish separate blocked accounts at different institutions to assure FDIC protection.

THIS CASE SET FOR HEARING ON Petition for Successor Letters of Administration with limited authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Percy Cornett, does not request a bond amount. Petitioner is not a resident of California. Personal property valued at \$404,290.33. Court may wish to set bond at \$404,291.00 or alternatively, place monies in blocked account and require minimum bond. NOTE: \$200,000 transferred to blocked account per court order on 10/16/08 in name of Estate and petitioner as special administer.
2. Need proposed order and letters.
3. Need Duties and Liabilities.

RECOMMENDATION

Need to clear notes 2 and 3, then Court's discretion re bond. If approved, set future hearings for filing of Inventory & Appraisal on 06/25/09 and for Accounting Review on 01/21/10. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07232

CASE NAME: MTR OF FERMIN O GONZALES

HEARING:
Probate status report filed.

	COUNSEL:
JUANITA MOTA	(PET)...DUANE P BOOTH
STELLA MAGANA	(PET)...DUANE P BOOTH
LUPE GONZALES	(PET)...DUANE P BOOTH
FERMIN O GONZALES	(DEC)...

GENERAL INFORMATION:
Continued from 5/15/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Probate Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Notice of hearing and proof of service is filed, however, notice does not comply with Pr.C. §12201(b).
2. Petitioners allege the estate is not in a position to close as the real property must be sold. Petitioners do not indicate the amount of time necessary to conclude the estate administration.

RECOMMENDATION:
Need notice. If approved, court may wish to set next accounting review for 5/21/09.
(gls)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07278

CASE NAME: ESTATE OF LUPITA M GUERRA

SEE ALSO 22 23

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CONSUELITA M GUERRA (PET)...JASON L GAUDY

LUPITA M GUERRA (DEC)...

PATRICK B. WRIGHT (TP)...PRO/PER

GENERAL INFORMATION:

Continued from 7/30/07 No Appearance. Court set OSC re sanctions. Clerk mailed notice.
Continued from 9/10/07 and 10/22/07 at request of counsel to obtain property tax
certificate. OSC dismissed. Nothing new filed.

Continued from 12-06-07 at request of counsel. Nothing new filed.

Continued from 2/7/08 No appearance. Court set OSC re Sanctions and ordered petitioner
and counsel to appear. Clerk mailed notice. Nothing new filed.

On 2/25/08 matter came on for accounting review. No appearance. Court continued
matter to date of I&A. Nothing new filed.

Continued from 3/27/08 as counsel advises that he has lost complete contact with his
client. Court dismisses OSC.

Last continued from 5/1/08. No appearance by petitioner. Citation issued on Consuelita
Guerra. Citation was unsuccessful.

Continued from **6-12-08 and 7/17/08**. On 6-12-08 counsel filed a statement indicating that
he has lost all contact with his client. Matter was continued at the request of counsel.

Document does not in fact qualify as a status report of the administrator. On 7/17/08,
Attorney Parker appeared for Public Administrator. Nothing new filed.

Continued from 8-25-08 and 10/2/08 at the request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON

- Inventory and appraisal.
- Accounting review
Petition For Final Distribution Final Accounting and Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 The final inventory and appraisal has been filed. However, need to file Property Tax Certificate. However, real property was lost to foreclosure so issue may be moot.
- 2 Request for special notice filed on 01/10/08 by Probate Referee.
- 3 No accounting or status of administration filed.
- 4 Need return of Citation. **Service was unsuccessful. The residence of the petitioner is vacant and an eviction notice was posted on the window.**
- 5 **Counsel filed a statement indicating that he has lost all contact with his client and asserts that the only asset of the estate, were decedent's home and real property, which have been lost to foreclosure.**
- 6 **Note:** Petitioner is the sole beneficiary under the Will. The only inventoried asset is real property located at 1773 N. Massachusetts, San Bernardino. From a review of the assessor's records, the real property was sold to Federal National Mortgage Assn. on or about 1/3/08 (foreclosure). Court could inquire whether there may be any surplus funds due the estate. In addition, there are three creditor's claims (purple tabs) which neither have been approved nor rejected.

RECOMMENDATIONS:

Court's discretion.

(/cbr/kra/gls/cbr/NMT/vet/GLS/NMT/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07278

CASE NAME: ESTATE OF LUPITA M GUERRA
SEE ALSO 21 23

HEARING:
Petition for FOR FINAL DISTRIBUTION FINAL ACCTING AND ATTORNEY'S
FEES

COUNSEL:
CONSUELITA M GUERRA (PET)...JASON L GAUDY
LUPITA M GUERRA (DEC)...
PATRICK B. WRIGHT (TP)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file notice of hearing and proof of service, including notice upon creditor's who have filed claims as well as the Probate Referee who has filed Request for Special Notice.
2. Counsel has filed this petition on behalf of petitioner indicating that the estate is insolvent and that the only asset of the estate (i.e., real property) was lost to foreclosure. Counsel further indicates that despite attempts to contact petitioner, that he has been unable to contact her.
3. Counsel requests statutory attorney's fees of \$8,500. Calculated. However, there are no assets with which to pay such fees.

RECOMMENDATION:

Need notice and then court's discretion.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07278

VACATED – PETITION TO CLOSE ESTATE IS ALSO ON CALENDAR.

CASE NAME: ESTATE OF LUPITA M GUERRA

HEARING:
Accounting Review

COUNSEL:
CONSUELITA M GUERRA (PET)...JASON L GAUDY
LUPITA M GUERRA (DEC)...
PATRICK B. WRIGHT (TP)...PRO/PER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS02184

CASE NAME: MTTR OF THE BAXTER LIVING TRUST

HEARING:
Readiness Calendar

COUNSEL:

BARBARA BAXTER GUERRY	(PET)...	PRO/PER
DONALD EARL BAXTER	(PET)...	JULIA M WOOD
LILLIE MAE BAXTER	(DEC)...	
LESLIE WALTER BAXTER	(DEC)...	
DONALD E BAXTER	(PET)...	GREGORY J HOUT
BARBARA GUERRY	(PET)...	CALDWELL, KENNEDY & PORTER, A.
PAMELA YVONNE BAXTER	(OBJ)...	SHERRI L KASTILAHN
BARBARA GUERRY	(CHRISTOPHER ALLAN BURY	)...CHRISTOPH

No notes – readiness calendar

11/17 TRIAL

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **CONSERVATORSHIPS**

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600029

CASE NAME: Matter of Consuelo Hernandez

SEE ALSO 24A

HEARING:

FIRST / CURRENT Account and Report of MARSELA HERNANDEZ TAKAYAMA
and Petition for allowance of fees filed.

COUNSEL:

MARSELA HERNANDEZ TAKAYAMA (CE)...PRO/PER

CONSUELO HERNANDEZ (CTE)...WALTER T MOORE

PAULA E MARTINEZ (TP)...REID & HELLYER

JOSE E MARTINEZ (REID & HELLYER)...REID & HE

EDDIE RAMIREZ (LAW OFFICES OF JE GRISWOLD & A)...LAW OFFIC

SHERRY RAMIREZ (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G

ADOLFO LOERA (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G

KAREN J SEGEL ()...

GENERAL INFORMATION:

Accounting covers period: 11/9/06 – 12/10/07

Assets on hand: \$353,237.49 (real property with a carry value of \$350,000, personal property of \$1,200 and the balance in cash)

**Continued from 4/10/08. Court grants Attorney Segel's request for fees/costs of \$3,500.

Attorney Kalfayan's balance of attorneys fees to be determined. Balance of funds is ordered held in trust account until explanation and clearing of probate notes.

**Continued from 5/15/08. Petitioner, Ms. Hernandez Takayama, indicates she has retained Eric Douglas Johnson to represent her. However, Attorney Kalfayan states he was not aware of new counsel. No substitution of attorney is filed.

Last continued from 6/19/08 and 8/7/08 to address there is no explanation of overdraft charges and need bank statements. Court approved Attorneys' fees for Attorney Kalfayan and Attorney Segel.

Continued from 09/11/08. Marsela Hernandez Takayama was removed as Conservator. Marsela was ordered to file an accounting that includes a statement under oath regarding the withdrawals by 09/26/08. She is also ordered to personally appear on 10/02/08.

Attorney Kalfayan also ordered to appear (by court call).

Last continued from 10/2/08

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Attorney requests fees of \$15,190.00. **(Court approved on 6/19/08, less \$4,000 already held in attorney trust account)**
2. Attorney requests reimbursement of costs of \$1,639.58. Itemized. As part of the costs, counsel charges for photocopies, postage and mileage totaling \$218.69 which is not allowable **(Court approved \$1,420.89 on 6/19/08).**
3. Petitioner requests that the bond be reduced to \$25,000 (a total reduction of \$90,000). Appears adequate. JTD
4. On disbursements, there are numerous bank overdraft charges totaling \$3,651.00. Note: petitioner and petitioner's sister have advanced funds to the conservatorship totaling approximately \$15,541.16 to meet obligations of the conservatorship for which no reimbursement is sought. It is not clear from the advances how much petitioner contributed. Need verified supplement explaining bank overdraft issue.
5. Need original of bank statement to confirm ending balance of cash on hand per Pr.C. §2620.

RECOMMENDATION:

Need to clear notes 4-5. If approved, set next accounting review for 8/5/10. Accounting to be filed 30 days in advance.

(/gls/cbr/gls)

Superior Court of Calif, County of San Bernardino
Page: 24A
CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0600029
CASE NAME: Matter of Consuelo Hernandez

SEE ALSO 24

HEARING: ORDER TO SHOW CAUSE RE: TERMINATION OF
CONSERVATORSHIP FILED BY MARSELA HERNANDEZ TAKAYAMA

COUNSEL:

MARSELA HERNANDEZ TAKAYAMA (CE)...PRO/PER
CONSUELO HERNANDEZ (CTE)...WALTER T MOORE
PAULA E MARTINEZ (TP)...REID & HELLYER
JOSE E MARTINEZ (REID & HELLYER)...REID & HE
EDDIE RAMIREZ (LAW OFFICES OF JE GRISWOLD & A)...LAW OFFIC
SHERRY RAMIREZ (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G
ADOLFO LOERA (JAMES E GRISWOLD & ASSOCIATES)...JAMES E G
KAREN J SEGEL ()...

GENERAL INFORMATION

Continued from 10/16/08. PG will not file for conservatorship of estate only. Further, proposed conservatee lives with her daughter in L.A. County. Furthermore, based on counsel's reports, the court finds that the civil litigation will not be reinstated because the costs outweigh any possible judgment rendered. Court relieves County Counsel and PG and sets this OSC re termination.

THIS CASE SET FOR HEARING ON OSC re termination of Conservatorship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set on 09/11/08 when Conservator Marsela Hernandez Takayama was removed as Conservator of the person and estate of Consuelo Hernandez. Court ordered Ms. Hernandez-Takayama to cooperate with attorney Walter Moore who is to be given access to account information and his client. Mr. Moore also to research the status for the various civil litigations and information the court of their status (see general information above)
2. Need Court Investigator report.

RECOMMENDATION

Court's discretion
(cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700234

CASE NAME: TANYA MARIE SALINAS

HEARING:

Order to Show Cause re: FAILURE TO APPEAR ON PTN FOR APPT OF
CONSERVATOR filed by BONITA C SALINAS.

COUNSEL:

BONITA C SALINAS (CPE)...PRO/PER
TANYA MARIE SALINAS (CEP)...JOAN NELMS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re: Failure to Appear On Petition for
Appointment.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set on 10/06/08 when there was no appearance.
2. Citation issued to Bonita Salinas. Need return of citation.

RECOMMENDATION

Need return of citation, then Court's discretion

(cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800110

CASE NAME: NAKISHA HAYNES

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL - SAN BERNARDIN
NAKISHA HAYNES	(CEP)...WALTER T MOORE
DENISE J HAYNES	(SC)...PRO/PER

GENERAL INFORMATION:

Continued from **11/5/07** for proof of service. Counsel appointed for proposed conservatee.

Continued from **12/17/07** at request of counsel. Counsel discussing with IRC.

Continued from **01/28/08** at request of counsel; snowed in cannot appear.

Continued from **3/20/08** at request of counsel to get Medical Capacity Declaration.

Continued from **5/29/08** as Capacity Declaration is still not completed. Attorney Nelms to check if IRC doctor will complete the Capacity Declaration. Nothing new filed.

Continued from **06/30/08** request of counsel. Court reviewed the report from Inland Valley Regional Center and noted that they are willing to act as trustee. Counsel indicated that they were having difficulty getting the doctor to complete the medical capacity declaration. Court may issue a citation for the doctor. Nothing new filed to clear matter.

Continued from 08-25-08 at request of counsel to obtain medical capacity declaration. Nothing new filed.

Last continued from 10/6/08. Court finds that LPS Conservatorship has been terminated and deems this petition as probate conservatorship of the person only. Court informs proposed conservator she must notice all relatives within the 2nd degree and provide the court with their names and addresses. The court does not require the return of the Citation as the proposed conservatee was present in court.

THIS CASE IS SET FOR HEARING ON Petition for limited conservatorship of the person and estate, by mother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court Investigator report in the file.
2. Inland Regional Center report filed with no adverse findings.
3. Medical powers sought. File capacity declaration.
4. No bond necessary if conservatorship of person only.
5. Due Diligence search filed on father of proposed Conservatee indicating efforts to locate were unsuccessful.
6. Attorney Nelms was appointed on 11/5/07. No written report of counsel filed. Did court wish to require a written report of counsel? Judge to decide
7. Return of citation filed.

RECOMMENDATION:

Need to clear note 3 then Court's discretion. If approved, set hearing for filing care plan in accord with Pr.C. §2352 for 6/25/09.

(/gls/cbr/gls/cbr/vet/gls/cbr)

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02608

CASE NAME: MATTER OF PATRICIA B ZEINER

HEARING:

FOURTH AND FINAL Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

MELODIE Z SCOTT (CE)...HARTNELL LISTER & MOORE
PATRICIA B ZEINER (CTE)...DUANE P BOOTH

GENERAL INFORMATION:

Accounting covers period: 4/1/07 – 4/15/08 and 4/15/08 – 5/30/08

Assets on hand: \$79,531.61 (\$78,747.92 in cash and the balance in personal property)

The conservatee died on 4/15/08

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Report and Petition
for Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests fees of \$7,856.75. Billed at various rates for various services not exceeding \$105/hour for a total of 104 hours. Itemized. JTD
2. Attorney requests fees of \$9,553.50. Attorney alleges that itemized fees are set forth on Exhibit "H" of the petition. However, Exhibit "H" is not attached. Please file same.
3. On disbursements on 4/11/07, there is reimbursement of phone charges of \$21.34 paid to counsel. Telephone charges are considered an overhead and not a reimbursable expense per local rule 20-1406(d). Court may wish to reduce attorney's fees by \$21.34.
4. Petitioner proposes to distribute the balance of cash on hand to the personal representative of the conservatee's estate.

RECOMMENDATION:

Need to clear note 2. If approved, court to set hearing on filing receipts and final discharge for 11/19/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: SC SS03090

CASE NAME: MTR OF ADA JEAN BRYANT

HEARING:
Accounting Review

COUNSEL:
KIM ANNE SIMMONS (CPE)...CARROLL M LAWSON
ADA JEAN BRYANT (CEP)...

GENERAL INFORMATION:

Continued from **5/19/08** and **6/30/08** at request of counsel. Nothing new filed. On 5/19/08, counsel advised that probate proceedings had not yet been filed for conservatee's estate.

Continued from 8/25/08 at request of counsel for a supplement to be filed to bring the accounting up to the date of death as conservatee died 12/2007. Nothing new filed.

Last continued from 10/6/08. The supplement filed to the report on 8/19/08 is intended to be a final accounting, but is really a supplement to the first accounting and raises questions. Court orders any objections to the accounting to be filed by 10/20/08 and notes that the documents purported to have been filed by Ada Jean Wilson have not reached the file and have not been reviewed by the court. Court instructs attorney to file a supplement to clarify the previous filed accounting.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 3/26/08 counsel advises court that a final accounting will be filed covering the period of 6/23/07 – 12/15/07 (date of death).
2. No accounting filed. **Supp: Accounting is filed, however, accounting is not prepared on the mandatory Judicial Council simplified accounting forms (GC-400/405). Also, accounting goes through 12/15/07. Court may wish to require a post-death accounting to a more current date as required per Pr.C. §2620(b).**

3. **Petitioner requests fees of \$38,688.00. Billed at \$12/hour for four hours per day for 348 days. This accounting period is only 134 days. Petitioner is requesting fees for a period for which the accounting does not cover (i.e., from 5/18/06-12/15/07). Also, petitioner requested and received fees from the first accounting period which was previously granted by the court. Thus, if the court grants \$12/hour for 4 hours/day at 134 days for this accounting period, then petitioner's fee request is equal to \$6,432.00. Services are generally itemized. JTD**
4. **Attorney requests fees of \$4,950.00. Billed at \$300/hour for 16.5 hours. Itemized. However, in prayer, attorney requests fees of \$7,450.00. Need verified supplement to clarify the fees being requested.**
5. **Need original bank statement to support balance of cash on hand per Pr.C. §2620(c).**
6. **Court may wish to review fax from conservatee's daughter, Katherine Haynes. Court may wish to distribute to all interested parties and require any objections to the accounting or services rendered by petitioner to be filed in proper format. Judge to decide**
7. **Objections filed by Ada Jean Haynes Wilson.**
8. **Objections filed by Gregory E Bryant.**

RECOMMENDATION:

Need to clear notes. Set for contested hearing.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/13/08 TIME: 10:30 DEPT: E2

CASE #: SC SS8298

CASE NAME: IN THE MATTER OF HELEN R FORD

HEARING:

ELEVENTH AND FINAL Account and Report of LORA ANDERSON and
Petition for allowance of fees filed.

COUNSEL:

HELEN R. FORD (CEP)...

LORA ANDERSON (CPE)...J. DAVID HORSPOOL

GENERAL INFORMATION:

Report covers period: 5/23/07 – 6/28/08

The conservatee died on 6/28/08

THIS CASE IS SET FOR HEARING ON Eleventh and Final Report on Waiver of Account
and Petition for its Settlement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges that the conservatorship estate qualifies for a waiver of accounting per Pr.C. §2628. Petitioner further alleges there are no cash funds on hand at the date of conservatee's death.
2. No requests for fees are sought.

RECOMMENDATION:

RFA. If approved, court to set hearing on filing final discharge for 11/19/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN MISC.

DATE: 11/13/08 TIME: 11:30 DEPT: E2

CASE #: SPRSS06102

CASE NAME: EST OF MARGARITA G VASQUEZ (MASTER)

HEARING:

Hearing Re: COURT'S RULING ON SUBMITTED MATTER

COUNSEL:

JENNIE VASQUEZ BARRON (PET)...PRO/PER
MARGARITA G VASQUEZ (DEC)...
PETER HERNANDEZ (PET)...JAMES B CHURCH & ASSOCIATES
JOHN M RAGER (TP)...

FILE IN CHAMBERS